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**The Somerset Hills School District**  
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September 19, 2008

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capital Heights, MD 20743

Received & Inspected

SEP 22 2008

FCC Mail Room

**RE: REQUEST FOR REVIEW  
CC Docket No 02-6, 96-45**

Applicant Name:	Somerset Hills School District
Billed Entity Number	123120
Form 471 Application Number	636453
Funding Request Number(s)	1763784, 1763993, 1764019, 1764025 1764047, 1764049, 1764051

Dear Secretary Dortch,

On July 21, 2008, the Somerset Hills School District received notification that our appeal on the application referenced above had been denied. The reason for denial was that the Form 471 was "postmarked" on February 8, 2008 and the deadline was 11:59 pm on February 7, 2008. We respectfully request that you consider the following point in your decision to approve our appeal.

- The form was filed electronically, not "postmarked" The district's Information Technology Manager at the time was Scott Fitzgerald. Scott had been filing our E-Rate applications properly and successfully every year for at least 7 years. On February 7, he tried repeatedly to submit the application electronically. He received error messages on the USAC/SLD website that reflected an overload on the USAC/SLD server. He tried into the night but was only able to make a successful transmission on the following day. Again, this experienced person was familiar with the process. He tried to contact the USAC, but was unsuccessful.
- The Somerset Hills School District is a relatively small school district on a very lean budget. We are extremely dependent on grant funds such as the E-Rate Funding. We have always done the process in-district, in order to maximize the funds received. We are constantly striving to do more with less in order to control

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Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2008-2009**

July 21, 2008

Charles Young  
The Somerset Hills School District  
25 Olcott Avenue  
Bernardsville, NJ 07924

Re: Applicant Name: SOMERSET HILLS SCHOOL DIST  
Billed Entity Number: 123120  
Form 471 Application Number: 636453  
Funding Request Number(s): 1763784, 1763993, 1764019, 1764025, 1764047,  
1764049, 1764051  
Your Correspondence Dated: July 03, 2008

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2008 Form 471 Postmarked Outside of Window Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1763784, 1763993, 1764019, 1764025, 1764047,  
1764049, 1764051

Decision on Appeal: **Denied**

Explanation:

- A thorough review of your appeal and the relevant facts shows that you postmarked the Form 471 application on February 8, 2008, which is outside of the application filing window. For Funding Year 2008, in order to be considered for funding, Form 471 applications had to be postmarked no later than 11:59 pm (EST) on February 7, 2008. You have failed to demonstrate that your Form 471 application was postmarked on or before February 7, 2008.
- USAC denied your funding requests because it was determined that your FCC Form 471 Application was not postmarked on or before the close of the filing window on February 7, 2008. In order to be considered within the filing window,

both the application and the certification must be completed. You have failed to *demonstrate that the FCC Form 471 Application was filed timely*. Consequently, your appeal is denied.

- The FCC requires completed FCC Form 471 applications and certifications to be postmarked by the final date of the filing window for the relevant funding year for the application in order to be considered timely filed. *See Request for Review by Alpine County Unified School District, et al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File no. NEC.471.01-24-00.5400004, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 paras. 2 and 4 (rel. Jan. 14, 2002).*

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

Charles Young  
The Somerset Hills School District  
25 Olcott Avenue  
Bernardsville, NJ 07924

Billed Entity Number: 123120  
Form 471 Application Number: 636453  
Form 486 Application Number:



Schools and Libraries Division

**FUNDING YEAR 2008 FORM 471  
POSTMARKED OUTSIDE OF WINDOW**

May 7, 2008

Scott Fitzgerald  
SOMERSET HILLS SCHOOL DIST  
25 OLCOTT AVE  
BERNARDSVILLE, NJ 07924-2395

Re: Applicant's Form Identifier: FY2008-P1  
Form 471 Application Number: 636453

Dear Scott Fitzgerald:

We're sending this letter to thank you for your recent Form 471 application. Your Form 471 application was postmarked on 02/08/2008, which is AFTER the Funding Year 2008-2009 filing window closed at 11:59 p.m. EST on Thursday, February 7, 2008.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the USAC website at [www.usac.org/sl](http://www.usac.org/sl) once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of pending applications, about funding for applications filed after the close of the filing window or about plans for future Funding Years, please visit our website or call the Client Service Bureau at 1-888-203-8100.

**TO APPEAL THIS DECISION:**

If you wish to appeal a decision indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
  - Appellant name,
  - Applicant or service provider name,
  - BEN,
  - Application number 636453 as assigned by USAC,
  - "Funding Year 2008 Form 471 Postmarked Outside of Window Letter,"AND
  - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

# USAC

Schools and Libraries Division  
Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

## TIME SENSITIVE MATERIAL

00028  
Scott Fitzgerald  
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25 OLCOTT AVE  
BERNARDSVILLE, NJ 07924-2395